



Austin City Council MINUTES

COUNCIL MEETING
THURSDAY, NOVEMBER 20, 1997

Mayor Watson called the meeting to order, noting the presence of all Councilmembers.

1. Approval of Minutes for Special Called Meetings of October 27, October 29, November 4, and November 12; and Regular Meetings of October 29, October 30, November 5 and November 6, 1997.
Approved on, Councilmember Spelman's motion, Councilmember Lewis' second, 7-0 with Mayor Pro Tem Garcia abstaining on Special Called meeting of November 12, 1997.

CITIZEN COMMUNICATIONS: GENERAL

2. Carol Shauf, to discuss chronic overgrowth of vegetation on city property; City says no money to maintain it.
Absent
3. Robert Thomas, to ask Council for help in seeking employment at Rosewood Recreation Center.
4. Irwin Spear, to discuss speed humps.
5. Paul Robbins
6. Virginia Garcia, to invite the Council to the 23rd St. Renaissance Market Christmas Celebration.
7. David Blakely, to discuss lean beef.
Absent
8. Michael McHone, to discuss University Area Partners/Eeyore's Birthday Party.
9. Jose Quintero, to discuss Austin Baptist soup kitchen; request City support for it's taxpayer citizens.
10. Richard Troxell, to discuss homelessness in Austin.

READING OF CONSENT AGENDA

READING OF DISCUSSION AGENDA

CITIZEN COMMUNICATIONS: CONSENT AGENDA

ACTION ON CONSENT AGENDA

ITEMS CONTINUED FROM PREVIOUS MEETINGS

11. Approve a resolution appointing two Directors of the Austin-Rosewood Community Development Corporation. (No fiscal impact.)
Resolution No. 971120-11 approved naming Michael Bryant as one of the Directors of the Austin-Rosewood Community Development Corporation on, Councilmember Lewis' motion, Councilmember Goodman's second, 7-0 vote.
12. Approve a resolution authorizing negotiation and execution of an amendment to the contract with Anderson Community Development Corporation (ACDC) for the acquisition of land and development of an additional 48 low income rental housing units in the SCIP II project area, in an amount not to exceed \$1,411,814, for a total amount not to exceed \$4,416,000, and to change the source of \$700,000 approved by Council on April 10, 1997 from HOME to 23rd Year Community Development Block Grant (CDBG) funds and change the amount of the second option also approved by Council on April 10, 1997, from \$718,628 to \$2,304,186. (Funding in the amount of \$1,190,914 is available in the 1997-98 operating budget of the Neighborhood Housing and Community Development Office (HOME Year 6; \$220,900 is available from 23rd Year CDBG HIP.)
Postponed to December 11, 1997 on, Councilmember Lewis' motion, Councilmember Goodman's second, 7-0 vote.

Emergency Medical Services

13. Amend Ordinance 970917-C to increase service fee charged for STARFlight helicopter emergency ambulance service, as approved by Travis County Commissioners' Court. (No fiscal impact. Revenue from this fee transfers to Travis County.
Ordinance No. 971120-A approved

Finance and Administrative Services

14. Approve a resolution authorizing execution of a twelve month supply agreement with PROMEDIX, Austin, Texas, for the purchase of latex gloves to be used by various City personnel, in an amount not to exceed \$46,000 with two twelve month extension options in an amount not to exceed \$46,000 per extension, for a total contract amount not to exceed \$138,000. (Funding in the amount of \$38,333 was included in the 1997-98 operating budgets of the City departments. Funding for the remaining two months of the contract and the extension options is contingent upon available funding in future budgets.) Low bid of

twenty-two meeting specifications. No M/WBE Subcontracting opportunities were identified.
Resolution No. 971120-14 approved

15. Approve execution of a construction contract with PORT ENTERPRISES, INC., Manchaca, Texas, for the reroofing of Fire Station No. 6 located at 1705 South Congress Avenue and Fire Station No. 23 located at 1330 East Rundberg Lane, in the amount of \$145,258. (Funding was included in the 1997-98 Capital budget of the Financial and Administrative Services Department, Building Services.) Low bid of three. 7.0% MBE, 0% WBE Subcontractor participation.
Approved

Public Works

16. Amend the Austin City Code by modifying the Basic Traffic Ordinance, Section 16-4-4 (D), Speed Limits, for the installation of a 20 mph Reduced Speed School Zone on Guadalupe Street, from Northway Drive to U.S. 183, for the protection of students attending T.A. Brown Elementary School. (Funding in the amount of \$8,000 for the installation of signs and markings is available in the 1997-98 operating budget of the Child Safety Fund.)
Ordinance No. 971120-B approved
17. Approve a resolution authorizing negotiation and execution of a professional services agreement with the following three engineering firms: KLOTZ ASSOCIATES, INC., Austin, Texas; DANNENBAUM ENGINEERING CORPORATION, Austin, Texas; and MAXIM TECHNOLOGIES, INC., Austin, Texas, to provide professional engineering services for street rehabilitation projects for a period of approximately two years, each agreement in an amount not to exceed \$1,300,000 with a total amount of the three agreements not to exceed \$1,300,000 (estimated amount approximately \$433,333 per firm). (Funding in the amount of \$900,000 was included in the 1996-97 Capital budget of the Public Works and Transportation department; \$400,000 was included in the 1996-97 Capital budget of the Water and Wastewater Utility.) Best qualification statements of eleven. Klotz Associates, Inc.: 28% DBE Subconsultant participation: 18% MBE, 10% WBE. Dannenbaum Engineering Corporation: 27% DBE Subconsultant participation: 25.5% MBE, 1.5% WBE. Maxim Technologies, Inc.: 30% DBE Subconsultant participation: 14% MBE, 16% WBE. [Recommended by Water and Wastewater Commission]
Resolution No. 971120-17 approved
18. Approve a resolution authorizing execution of a construction contract with PREMIUM CUTS, INC., (MBE/MH), Austin, Texas, for sidewalk construction on Dittmar Road from Albert Lane to Huddleston Lane, for a total amount of \$58,553. (Funding was included in the 1996-97 Amended Capital budget of the Public Works and Transportation department.) Low bid of seven. 91.50% MBE Prime participation. 0% MBE, 8.50% WBE Subcontractor participation.
Resolution No. 971120-18 approved

Parks and Recreation

19. Approve a resolution authorizing execution of a construction contract with GARCIA GENERAL CONTRACTORS, INC., (MBE/MH), Austin, Texas, for construction of the Northwest Recreation Center Playscape, in an amount not to exceed \$44,400. (Funding was included in the 1997-98 Capital budget of the Parks and Recreation department.) Low bid of five. 91.6% MBE Prime participation. 0% MBE, 8.4% WBE Subcontractor participation.
Resolution No. 971120-19 approved
20. Approve a resolution authorizing execution of a construction contract with SOUTHWEST CONSTRUCTORS, INC., Austin, Texas, for construction of accessibility improvements at the Zilker Park Pool and Bathhouse, in an amount not to exceed \$261,500. (Funding was included in the 1997-98 Capital budget of the Parks and Recreation department.) Low responsive bid of three. 30.64% MBE, 31.55% WBE Subcontractor participation.
Resolution No. 971120-20 approved
21. Authorize negotiation and execution of a contract and the acceptance of a donation of \$120,000 per year for three years from the Dell Computer Corporation, One Dell Way, Round Rock Texas, as primary sponsor of the Yule Fest Trail of Lights; and amend Ordinance 970917-A, the 1997-98 Operating Budget of the Parks and Recreation Department, increasing expenditures by \$107,187 and revenues by \$107,187. (\$107,187 in increased donations in the current year from Dell Computer Corporation; donations of \$120,000 annually will be included in the 1998-99 and 1999-2000 Operating Budget of the Parks and Recreation Department.)
Ordinance No. 971121-C approved

Health and Human Services

22. Approve an ordinance authorizing acceptance of \$250,000 in grant funds from the Texas Department of Protective and Regulatory Services for the Services to At-Risk Youth (STAR) Program; amend Ordinance 970917-A, the 1997-98 operating budget, by appropriating \$250,000 in grant funds for the Health and Human Services Department Special Revenue Fund. (A City match is not required. The required match in the amount of \$13,158 will be provided by the subcontractor.) [Related to Item 23]
Ordinance No. 971120-D approved
23. Approve a resolution authorizing negotiation and execution of a ten month contract with YOUTH OPTIONS to provide crisis intervention services to at-risk youth and families, in an amount not to exceed \$236,842 with two twelve month renewal options in an amount not to exceed \$284,210 per extension, for a total amount not to exceed \$805,262. (Funding is available from the Texas Department of Protective and Regulatory Services, Services to At-Risk Youth (STAR) program.) [Related to Item 22]
Resolution No. 971120-23 approved
24. Approve an ordinance authorizing acceptance of an additional \$192,988 in grant funds from

the United States Department of Health and Human Services, Ryan White Title III Early Intervention grant program; amend Ordinance 970917-A the 1997-98 Operating budget, by appropriating an additional \$192,914 in grant funds for the Health and Human Services Department Special Revenue Fund, for a total grant amount of \$561,914. (A City match is not required.) [Related to Item 25]

Ordinance No. 971120-E approved

25. Approve a resolution authorizing execution of an amendment to the contract with AIDS SERVICES OF AUSTIN to provide dental care services for HIV clients, in an amount not to exceed \$119,971, for a total contract amount of \$185,075. (Funding is included in the 1997-98 Special Revenue Fund for the Health and Human Services Department, Ryan White Title III Early Intervention grant program.) [Related to Item 24]
Resolution No. 971120-25 approved

Water and Wastewater Utility

26. Approve a resolution authorizing the execution of a twelve month service agreement with EXECUTIVE SECURITY SYSTEMS, INC., Austin, Texas, for unarmed security guard services for the Water and Wastewater Utility Waller Creek Center, in an amount not to exceed \$54,876.72 with two twelve month extension options in an amount not to exceed \$54,876.72 per extension, for a total contract amount not to exceed \$164,630.16. (Funding in the amount of \$45,730.60 was included in the 1997-98 operating budget of the Water and Wastewater Utility. Funding for the final two months of the contract and the extension options is contingent upon available funding in future budgets.) Low bid of seven. No M/WBE Subcontracting opportunities were identified. [Recommended by Water and Wastewater Commission]
Resolution No. 971120-26 approved

Items 13 through 26 approved on, Mayor pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

27. Approve service extension Request No. 1783 submitted by Community Development Services, Inc., for the J.B. Merriltown Tract which is located outside the city limits; authorize the negotiation and execution of a cost reimbursement agreement with Community Development Services, Inc., for the construction of an 18-inch wastewater main and appurtenances to provide wastewater service within and near the J.B. Merriltown Tract with City cost reimbursement, in an amount not to exceed \$580,000. (Reimbursement is subject to funding approval in future budgets of the Water and Wastewater Utility's Capital Improvement Project.) [Recommended by Water and Wastewater Commission] **(Related to Item 28)**
Approved

28. Approve Service Extension Request No. 1788 for water service submitted by Community Development Services, Inc., for the J.B. Merriltown Tract which is located outside the city limits. (No fiscal impact.) [Recommended by Water and Wastewater Commission] **(Related to Item 27)**
Approved

29. Approve Service Extension Request No. 1774 for wastewater service submitted by West Las Cimas, L.P. for the Las Cimas PUD tract which is located outside the city limits. (No fiscal impact.) [Recommended by Water and Wastewater Commission]
Approved

30. Approve Service Extension Request No. 1787 for wastewater service submitted by Gina Ducloux and W.W. Rostow for two tracts identified as the Westlake Highlands Tract which is located outside the city limits. (No fiscal impact.) [Recommended by Water and Wastewater Commission]
Approved

Items 27 through 30 approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 7-0 vote.

31. Approve Service Extension Requests No. 1789 for water service and No. 1790 for wastewater service submitted by Slaughter Lane Holdings, Ltd., for a 40.35 acre tract on Slaughter Lane which is located outside the city limits. (No fiscal impact.) [Recommended by Water and Wastewater Commission]
Postponed two weeks to December 4, 1997 on, Councilmember Spelman's motion, Councilmember Griffith's second, 7-0 vote.

32. Approve Service Extension Request No. 1791 for wastewater service submitted by Seton Network Facilities to the Seton Southwest ACC Tract which is located outside the city limits. (No fiscal impact.) [Recommended by Water and Wastewater Commission]
Approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 7-0 vote.

Friendly amendment by Councilmember Slusher to approve, subject to a condition that Director of Development Review certifies that the entire tract is in compliance with the SOS water quality ordinance.

Friendly amendment accepted by maker and seconder.

Human Resources

33. Approve a resolution authorizing modification of a contract with UNITED HEALTHCARE, Austin, Texas, for increased group medical coverage for City employees and retirees for the 1997 contract year, in an amount not to exceed \$110,000, for a total contract amount not to exceed \$2,872,000. (Funding was included in the 1997-98 Employee Benefits Fund for the Human Resources Department.) No M/WBE Subcontracting opportunities were identified.
Resolution No. 971120-33 approved
34. Approve a resolution authorizing modification of a contract with WILLIS-ROLLINSON, INC.,

Dallas, Texas, for third party administrator services for the City Workers' Compensation Program, in an amount not to exceed \$165,000, for a total amount of \$1,565,272. (Funding is included in the 1997-98 Workers' Compensation Fund for the Human Resources Department.) 17% MBE, 5% WBE Subcontractor participation.
Resolution No. 971120-34 approved

Police

35. Approve an ordinance authorizing the acceptance of \$22,233 in additional grant funds from the State of Texas, Governor's Office, Criminal Justice Division, Victims of Crime Act Fund (VOCA) for the eighth year of funding of the Enhancing Existing Victim Assistance Program; amend Ordinance 970917-A, the 1997-98 operating budget, amending the Austin Police Department Special Revenue Fund by increasing the grant funding and grant expenditures by \$22,233, for a total grant amount of \$79,978. (An in-kind match in the amount of \$7,883 is required and represents existing salaries of Police Department's Victims Services Program.)
Ordinance No. 971120-F approved

Items 33 through 35 approved on, Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

Convention Center

36. Amend Ordinance No. 970917-A, the 1997-98 Operating Budget for the Convention Center Department, by increasing appropriations by \$253,390 in the Operating Reserve Fund and decreasing the ending balance by \$253,390 for marquee signs at the Austin Convention Center.
Ordinance No. 971120-R approved
37. Approve a resolution authorizing execution of a construction contract with JORDAN WHITFIELD, INC., Austin, Texas, for the installation of marquee signs at the Austin Convention Center, located at 500 East Cesar Chavez, in the amount of \$102,000. (Funding is available in the 1997-98 Amended Operating budget of the Austin Convention Center Department.) Low bid of two. 39.12% MBE, 0.24% WBE Subcontractor participation.
Resolution No. 971120-37 approved
38. Approve a resolution authorizing execution of a contract with WHITE WAY SIGN, Chicago, Illinois, for manufacture, delivery, computer controller installation, wiring, training and maintenance of an electronic marquee system for the Austin Convention Center, located at 500 East Cesar Chavez, in the amount of \$151,390. (Funding is available in the 1997-98 Amended Operating budget of the Austin Convention Center Department.) Sole source. No M/WBE Subcontracting opportunities were identified.
Resolution No. 971120-38 approved

Items 36 through 38 approved on, Mayor Pro Tem Garcia's motion, Councilmember

Spelman's second, 7-0 vote.

Planning, Environmental and Conservation Services

39. Approve an ordinance authorizing assessment rate and proposed 1998 assessment roll for the Austin Downtown Public Improvement District (PID); set a public hearing to consider proposed assessments. (The 1997 assessment rate of \$0.10/\$100 valuation is estimated to produce \$739,521 at a 96% collection rate.) [Suggested date and time: December 11, 1997 at 5:30 p.m.] **(Related to Item 40)**
Ordinance No. 971120-S approved
40. Approve a resolution authorizing the Austin Downtown Public Improvement District (PID) Service Plan and Budget for 1998-99. (The Downtown Austin Alliance submitted a 1998-99 budget for the PID in the amount of \$930,225. This will be funded through \$739,521 in 1998 Assessments (at 96% collection rate); \$36,717 from interest accrued in the PID Account; \$28,987 from prior year unappropriated collections; \$100,000 City of Austin Annual Contribution (\$50,000 in the Austin Convention Center Fund, and \$50,000 in the Water and Wastewater Utility Fund), and \$25,000 from the Capital Metro Annual Contribution.) **[Related to Item 39]**
Resolution No. 971120-40 approved

Items 39 and 40 approved on, Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

41. Approve first reading of an ordinance annexing for full purposes the Parliament House Rd. Area, Case No. C7a-97-006, which includes Forest North Phase 4-A, Forest North Phase 4-B, Forest North Phase 4-C and other land generally located between Forest North Phase 4 to the east, Forest North Phase 4 and Anderson Mill MUD to the south, US 183 to the west and the existing City limits to the north.
Motion to suspend rules on items 41-47, discussion by Council only on, Mayor Pro Tem Garcia's motion, Councilmember Griffith's second, 7-0 vote.

Approved first reading only on, Councilmember Goodman's motion, Councilmember Spelman's second, 7-0 vote.

42. Adopt an ordinance annexing for full purposes the Adey Multi-Family Tract, Case No. C7a-97-005, which is generally located between North Austin Municipal Utility District on the east, McNeil Road on the south, and the existing City limits to the west and north.
Ordinance No. 971120-H approved on, Councilmember Spelman's motion, Councilmember Lewis' second, 7-0 vote.
43. Adopt an ordinance annexing for full purposes the US 183 West Area, Case No. C7a-97-007, which includes Northwest Travis County Municipal Utility District No.1 and its out-of-district service area, Northwest Travis County MUD No. 2, the Spicewood at Balcones Village subdivision, the Anderson Mill Estates subdivision and other areas generally located between

Spicewood Springs Road on the south, the existing City limits to the west, Anderson Mill Road to the north, and the Balcones Village subdivision and the existing City limits to the east.

Approved first reading only on Councilmember Spelman's motion, Councilmember Lewis' second, 7-0 vote.

Friendly amendment by Councilmember Slusher to remove Anderson Mill Estates.

Friendly amendment accepted by maker and seconder.

44. Adopt an ordinance annexing for full purposes the Balcones Village Area, Case No. C7a-97-008, which includes the Balcones Village subdivision, adjacent territory along Anderson Mill Road, and the Balcones Country. The area is generally bounded on the east by the existing Austin city limits along US 183, on the north by Anderson Mill Road, the Spicewood and Balcones Village development to the west, and Northwest Travis County MUD 1 and its out-of-district service area to the south.

Approved first reading only on, Councilmember Slusher's motion, Councilmember Spelman's second, 7-0 vote.

45. Adopt an ordinance annexing for full purposes the Davenport Ranch Area, Case No. C7a-97-009, which includes the Davenport Ranch Municipal Utility District and the Austin Country Club.

Ordinance No. 971120-I approved on, Councilmember Slusher's motion, Councilmember Spelman's second, 7-0 vote.

46. Adopt an ordinance annexing for full purposes the I-35 North Area, Case No. C7a-97-014, which is generally located between IH-35 North on the west, Century Street on the north, FM 1825, the Pflugarville ETJ, and Northtown MUD on the west, and the existing City limits at Howard Lane on the south.

Ordinance No. 971120-J approved on, Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

47. Adopt an ordinance annexing for full purposes the Tuscany Business Park, Case No. C7a-97-017, which includes approximately 11.5 acres of land, generally located on U.S. 290 East, across from the Tuscany Drive/U.S. 290 East intersection.

Ordinance No. 971120-K approved on, Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

Telecommunications

48. Approve second reading of an ordinance granting a municipal consent agreement to Waller Creek Communications, Inc., to provide telecommunications services. (Anticipated revenue of \$7,250 was included in the 1997-98 Budget.) [Recommended by Committee for Telecommunications Infrastructure]

Approved second reading only

Neighborhood Housing and Community Development

49. Approve a resolution authorizing negotiation and execution of a contract with the Austin Area Urban League for the Home Maintenance Program, in the amount not to exceed \$724,000, with two twelve month extension options, in an amount not to exceed \$724,000 per year, for a total contract amount not to exceed \$2,172,000. (Funding in the amount of \$724,000 is available in the 1997-98 Operating Budget Special Revenue Fund (23rd Year Community Development Block Grant Funds) of the Neighborhood Housing and Community Development for the Home Maintenance Program; funding for the extension options is contingent upon available CDBG funding in future years.)
Resolution No. 971120-49 approved
50. Approve a resolution authorizing negotiation and execution of a contract with the Austin Tenant's Council for the Fair Housing and Tenant Counseling Program, in an amount not to exceed \$225,000, with two twelve month extension options in an amount not to exceed \$225,000, for a total contract amount not to exceed \$675,000. (Funding is available in 23rd Year (1197-98 Community Development Block Grant Funds; funding for the extension options is contingent upon available funding in future years.) **Resolution No. 971120-50 approved**
51. Approve a resolution authorizing negotiation and execution of a contract with the United Cerebral Palsy Association of the Capitol Area Inc., for the Home Maintenance Program, in an amount not to exceed \$475,900 with two twelve month extension options in an amount not to exceed \$475,900 per option, for a total contract amount not to exceed \$1,427,700. (Funding in the amount of \$475,900 is available in the 1997-98 Operating Budget Special Revenue Fund (23rd Year Community Development Block Grant Funds) of the Neighborhood Housing and Community Development Office of the Home Maintenance Program; funding for the extension options is contingent upon available CDBG funding in future years.)
Resolution No. 971120-51 approved
52. Approve a resolution authorizing negotiation and execution of a contract with Austin Habitat for Humanity for the Community Housing Development Organization Program, in an amount not to exceed \$244,820. (Funding is available in the 1997-98 Operating Budget Special Revenue Fund of the Neighborhood Housing and Community Development Office Home Investment Partnerships Program (\$115,543 in HOME Year 2 Grant; \$129,277 in HOME Year 4 Grant, and Sales Proceeds.)
Resolution No. 971120-52 approved
53. Approve a resolution authorizing negotiation and execution of a contract with the Corporation for Affordable Housing for the Community Housing Development Organization Program, in an amount not to exceed \$220,000. (Funding is available in the 1997-98 Operating Budget Special Revenue Fund of the Neighborhood Housing and Community Development Office, Home Investment Partnerships Program (HOME Year 5 Grant.)
Resolution No. 971120-53 approved
54. Approve a resolution authorizing negotiation and execution of a contract with the American

Institute for Learning, in an amount not to exceed \$180,000 for the Community Housing Development Organization Program. (Funding is available in the 1997-98 Operating Budget Special Revenue Fund of the Neighborhood Housing and Community Development Office, Home Investment Partnerships Program (\$54,701 in HOME Year 4 Grant and \$125,299 in HOME Year 5 Grant.)

Resolution No. 971120-54 approved

55. Approve a resolution authorizing negotiation and execution of a contract with the East Austin Economic Development Corporation for the Community Housing Development Organization Program, in an amount not to exceed \$42,102. (Funding is available in the 1997-98 Operating Budget for Special Revenue Fund of the Neighborhood Housing and Community Development Office, Home Investment Partnerships Program (HOME Year 4 Grant.)

Resolution No. 971120-55 approved

56. Approve a resolution authorizing negotiation and execution of an amendment to the agreement with Austin Community Development Corporation, to provide financial assistance to small businesses and small commercial development projects that create jobs for low and moderate income persons, in the amount of \$75,000, for a total contract amount not to exceed \$224,400. (Funding is available in 23rd Year Community Development Block Grant Funds.)

Resolution No. 971120-56 approved

57. Approve a resolution authorizing negotiation and execution of a contract with the Austin Housing Authority to administer a Tenant Based Rental Assistance Program for eligible homeless families and individuals, in an amount not to exceed \$300,000. (Funding was included in the 1996-97 Special Revenue Fund for the Neighborhood Housing and Community Development Office, HOME Investment Partnership Program (Home Year 5.)

Resolution No. 971120-57 approved

Development Review And Inspection

58. C14-97-0110 - Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as 2505 Steck Avenue, from "MF-3", Multifamily Residence (medium density) to "GR-CO", Community Commercial-Conditional Overlay zoning with conditions. First reading on October 30, 1997; Vote 7-0. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at first reading. Applicant: Estate of Mildred Hancock (Whit Hanks/Roger Hanks); Agent: Graves, Dougherty, Hearon & Moody (Ann Vanderburg). City Staff: Don Perryman, 499-2786.

Approved Planning Commission recommendation, second reading only, with the creation of restrictive covenant to prohibit tattoo parlors and body piercing facilities.

59. C14-97-0084 - Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as U.S. Hwy. 290 West near Monterey Oaks Boulevard, from "DR", Development Reserve to "GR-CO", Community Commercial-Conditional Overlay with conditions. First reading on October 16, 1997; Vote 6-0, Lewis off the dais. Conditions met as follows: Conditional overlay incorporates conditions

imposed by Council at first reading. Applicant: Luther Berstein; Agent: John B. Sanford. City Staff: Deborah Reyes, 499-6369. Ordinance No. 971120-G approved Planning Commission recommendation

Items 48 through 59 approved on, Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

60. C14-97-0097 - Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as 5401 to 5527 East Martin Luther King Blvd., 1928 to 1960 Webberville Road, and 4600 to 4722 Tannehill Lane, from "SF-3", Family Residence to "MF-2-CO", Multifamily Residence (low density)-Conditional Overlay with conditions. First reading on November 6, 1997; Vote 7-0. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at first reading. Applicant: T. Warren Investments, Inc. (Thomas G. Warren); Agent: CFX, Inc. (J. Carroll Faulkner). City Staff: Ivan Naranjo, 499-2724. Note: A valid petition has been filed in opposition to this rezoning request.

Postponed to December 4, 1997 on, Councilmember Slusher's motion, Mayor Pro Tem Garcia's second

No vote taken

Substitute motion to postpone to December 11, 1997 on, Councilmember Lewis' motion

Motion dies for lack of second

Postponed to December 4, 1997 on, Councilmember Slusher's motion, Councilmember Spelman's second, 7-0 vote.

61. Set a public hearing on an appeal by John and Janice Laakso of a conditional use permit site plan for Spicewood Springs Park, located at 7810 Sterling Drive. (Suggested date and time: December 11, 1997 at 6:30 p.m.)
Approved

ITEMS FROM COUNCIL

62. Approve a resolution directing the City Manager to initiate action assure himself that Ordinance No. 96-0104B (Camping in Public Areas) is being enforced appropriately, and to issue a report to the Council within 30 days on findings and on proposed strategies that may be undertaken to ensure equitable and appropriate enforcement. (Mayor Pro Tem Gus Garcia, and Councilmembers Jackie Goodman and Willie Lewis)
Resolution No. 971120-62 approved
63. Approve an resolution to add a \$50 surcharge to each vendor application fee to cover the cost of market advertising, promotion and special security needs for the Renaissance Market. (Councilmember Jackie Goodman)

Ordinance No. 971120-T approved

Items 61 through 63 approved on, Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

4:30 P.M. - ZONING HEARINGS AND APPROVAL OF ORDINANCES

64. C14-72-204 - Public hearing to amend Chapter 13-2 of the Austin City Code by amending a restrictive covenant for property locally known as South Pleasant Valley Road and Elmont Drive. Existing zoning: "MF-3-CO", Multifamily Residence (medium density)-Conditional Overlay. Planning Commission Recommendation: To Approve the restrictive covenant as requested. Applicant: SK Properties (Ross G. Tidemann); Agent: Bury & Pittman, Inc. (Jim Gallegos). City Staff: Ivan Naranjo, 499-2724.

Approved Planning Commission recommendation on, Mayor Pro Tem Garcia's motion, Councilmember Lewis' second, 7-0 vote.

65. C14-97-0079 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 7703 Bluff Springs Road, from "I-RR", Interim Rural Residence to "MH", Mobile Home Residence and "P", Public District zoning. Planning Commission Recommendation: This request is forwarded to Council without a recommendation. Applicant: Regency Village at Onion Creek (Kathleen Godwin); Agent: Bury & Pittman, Inc. (Jim Gallegos). City Staff: Joe Arriaga, 499-2308. (continued from 8/21/97, 9/4/97, 9/25/97 & 10/16/97 at mediator's request)

Motion to table on, Mayor Pro Tem Garcia's motion

Motion dies for lack of second.

Motion to close public hearing on, Councilmember Lewis' motion, Councilmember slusher's second, 6-0 vote, Mayor Pro Tem Garcia off the dais.

Motion to grant MH, limited to 200 units on permanent foundations on, Councilmember Griffith's motion, Councilmember Spelman's second

No vote taken

Substitute motion to deny on, Councilmember Lewis' motion, Councilmember Goodman's second

No vote taken

Approved MH-CO zoning first reading only, subject to following conditions: 1) one entrance off Bluff Springs road; 2) structures on north boundary setback at least 80 ft. from property line; structures on west boundary setback at least 100 ft. from east curb of Bluff Springs road. doublewide homes required on perimeter; 3) parkland expanded (from developer's last drawing) to move east boundary of parkland so that parkland includes 300 ft. west of 100 year

flood plain; to move boundary on parkland on southern portion of property upward so that it is at least 200 ft. north of 100 year flood plain; and to move boundary in "center" so that there is 100 ft. on each side of the creek that runs down the "middle" of the property; 4) MH zoning limited to 200 units within envelope set out in 1-3 above. Property not developed dedicated as city parkland. Lot size: 5,750 square feet; 5) Narrow streets; no parking on streets; driveways long enough to hold two cars without blocking sidewalk; sidewalks on both sides of main street and one side of other streets; homes set back 25 feet from street; 6) all landscaping, public and lots, installed by developer to resemble Avon; utilize as many existing trees as possible; 7) Developers previously suggested restrictions would apply on, Councilmember Griffith's motion, Councilmember Spelman's second, 4-2-1 vote, Mayor Watson and Mayor Pro Tem Garcia voting "NO", Councilmember Goodman "ABSTAINING".

66. C814-97-0001 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as North FM 620 Road and North U. S. Hwy. 183 from "I-RR", Interim Rural Residence to "PUD", Planned Unit Development. Planning Commission Recommendation: To Grant "PUD", Planned Unit Development District zoning with conditions. Applicant: Texas General Land Office (Bob Hewgley); Agent: Carter & Burgess (Hank Smith). City Staff: David Wahlgren, 499-6455. (continued from 10/30/97 & 11/6/97)
Motion to close public hearing on, Councilmember Goodman's motion, Councilmember Slusher's second, 5-0 vote, Mayor Pro Tem Garcia and Councilmember Lewis off the dais.

Motion to reopen public hearing on, Councilmember Goodman's motion, Councilmember Slusher's second, 7-0 vote.

Motion to close public hearing on, Councilmember Goodman's motion, Mayor Pro Tem Garcia's second, 6-0 vote, Councilmember Lewis off the dais.

Motion to deny PUD zoning request because it does not conform to PUD purpose statement and is not a superior development on, Councilmember Spelman's motion, Councilmember Griffith's second, 7-0 vote.

67. CH14-97-0001 STEINER-REED BUILDING - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 805 Congress Avenue from "CBD", Central Business District to "CBD-H", Central Business District-Historic. Planning Commission Recommendation: To Grant "CBD-H", Central Business District-Historic zoning. Applicant: 805-807 Partnership (Jeff Blatt); Agent: Crocker Consulting (Sarah Crocker). City Staff: George Zapalac, 499-2725.
Approved Planning Commission recommendation, first reading only

68. C814-97-0002 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as Montopolis Drive and Felix Avenue from "SF-3", Family Residence to "PUD", Planned Unit Development. Planning Commission Recommendation: To Grant "PUD", Planned Unit Development zoning subject to conditions. Applicant: Austin Habitat for Humanity (Donita Haden); Agent: Clovis Heimsath Architect (Scott Dorn). City Staff: Ivan Naranjo, 499-2724.

Ordinance No. 971120-L approved

69. C14-97-0105 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 1006 N. Quinlan Park Road from "DR", Development Reserve to "SF-1", Single Family Residence (large lot). Planning Commission Recommendation: To Grant "SF-1-CO", Single Family Residence (large lot)-Conditional Overlay and "RR" Rural Residence zoning with conditions. Applicant: BLJ Management (B.L. Johnson); Agent: Minter, Joseph & Thorhill (Michele Haussmann. City Staff: Don Perryman, 499-2786.

Ordinance No. 971120-M approved

Items 67 through 69 approved on, Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

70. C14-97-0119 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as Bonaventure Drive from "DR", Development Reserve to "LO", Limited Office. Planning Commission Recommendation: To Grant "LO-CO", Limited Office-Conditional Overlay zoning with conditions. Applicant: Richard V. Thurmond, Jr. (Bob Thurmond); Agent: Realtex Ventures (Jim Mills). City Staff: Don Perryman, 499-2786.
Postponed to December 18, 1997 on, Mayor Pro Tem Garcia's motion, Councilmember Lewis' second, 5-0 vote, Councilmember Goodman and Griffith off the dais.

71. C14-97-0120 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 2111 West Slaughter Lane from "SF-2", Single Family Residence (standard lot) to "NO", Neighborhood Office. Planning Commission Recommendation: To Grant "NO-CO", Neighborhood Office-Conditional Overlay zoning with conditions. Applicant: Residential Services (Cleo White); Agent: Crocker Consulting (Sarah Crocker). City Staff: Deborah Reyes, 499-6369.

Ordinance No. 971120-N approved

72. C14-97-0121 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 7113 McNeil Road from "SF-3", Family Residence to "CS", Commercial Services. Planning Commission Recommendation: To Grant "CS-CO", Commercial Services-Conditional Overlay zoning with conditions. Applicant: David Cersonsky. City Staff: Craig Alter, 499-2769.

Approved first reading only

73. C14-97-0122 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as Neenah Avenue and West Parmer Lane from "MF-3-CO", Multifamily Residence (medium density)-Conditional Overlay and "P", Public District to "GR", Community Commercial. Planning Commission Recommendation: To Grant "GR-CO", Community Commercial-Conditional Overlay-Conditional Overlay and "RR", Rural Residence zoning with conditions. Applicant: Davis Spring Properties, Ltd. (Perry Blanton); Agent: Land Strategies (Paul Linehan). City Staff: Craig Alter, 499-2769.

Ordinance No. 971120-O approved

74. C14-97-0125 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 10125, 10127, 10129, 10131 & 10135 Lake Creek Parkway from "SF-2", Single Family Residence (standard lot) to "GR", Community Commercial. Planning Commission Recommendation: To Grant "GR", Community Commercial zoning. Applicant: W.L. Resource, Ltd. (Woodrow R. Lee); Agent: Consort, Inc. (Ben Turner, Jr.). City Staff: Craig Alter, 499-2769.
Ordinance No. 971120-P approved emergency passage
75. C14-97-0128 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 5710 1/2 North Lamar Boulevard from "P", Public District to "SF-6", Townhouse and Condominium Residence. Planning Commission Recommendation: To Grant "SF-6", Townhouse and Condominium Residence zoning subject to rollback. Applicant: City of Austin-Water & Wastewater Dept. (Chris Lippe); Agent: Amelia Lopez-Phelps. City Staff: Don Perryman, 499-2786.
Ordinance No. 971120-Q approved emergency passage

items 71 through 75 approved on, Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

PUBLIC HEARINGS

76. 6:00 P.M. - Public hearing to approve the use of 0.86 acres (36,645 square feet) and the temporary use of 0.2608 acre (11,000 square feet) for construction of Loyola Lane Road Improvement Project from dedicated parkland known as Northeast District Park and Colony Park in accordance with Section 26.001 et seq. of the Texas Parks and Wildlife Code. (No fiscal impact.)
Motion to close public hearing on, Councilmember Goodman's motion, Councilmember Slusher's second, 7-0 vote.
77. 6:15 P.M. - Public hearing on an appeal of Planning Commission's approval of a Hill Country Roadway site plan for a 498 unit apartment project known as Riverlodge Apartments, to be located on the south side of F.M. 2222 between River Place Blvd. and McNeil Road. (No fiscal impact.)
Motion to recess public hearing on, Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 7-0 vote.

Motion to close public hearing on, Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 7-0 vote.
78. 6:30 P.M. - Public hearing on the annexation of Village at Western Oaks, Case No. C7a-97-011, which includes the Village at Western Oaks Municipal Utility District.
Close public hearing on, Councilmember Lewis' motion, Councilmember Slusher's second,

4-0 vote, Mayor Pro Tem Garcia, Councilmembers Griffith and Spelman off the dais.

79. 7:00 P.M. - Public hearing on the annexation of the Southwestern Area, Case No. C7a-97-012, which includes the Southland Oaks Municipal Utility District and adjacent land currently in the City's limited purpose jurisdiction and the Bowles Subdivision, and Tanglewood Forest Municipal Utility District and intervening land extending between Tanglewood Forest MUD and the southern portion of Southland Oaks MUD.

Motion to close public hearing on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 7-0 vote.

80. 7:30 P.M. - Public hearing on the Strategic Partnership Agreement with Tanglewood Forest Municipal Utility District.

Motion to close public hearing on, Councilmember Spelman's motion, Councilmember Lewis' second, 7-0 vote.

ACTION ON PUBLIC HEARINGS

82. Approve the use of 0.86 acres (36,645 square feet) and the temporary use of 0.2608 acre (11,000 square feet) for construction of Loyola Lane Road Improvement Project from dedicated parkland known as Northeast District Park and Colony Park in accordance with Section 26.001 et seq. of the Texas Parks and Wildlife Code. (No fiscal impact.)
[Recommended by Parks Board]

Approved on, Mayor Pro Tem Garcia's motion, Councilmember Lewis second, 4-0 vote, Councilmembers Goodman, Spelman and Griffith off the dais.

83. Consider appeal of the Planning Commission's approval of a Hill Country Roadway site plan for a 498 unit apartment project known as Riverlodge Apartments, to be located on the south side of F.M. 2222 between River Place Blvd. and McNeil Road. (No fiscal impact.)

Motion to deny appeal on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 6-1 vote, Councilmember Lewis voting "NO".

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive session held at 12:26 p.m. to 1:08 p.m. on items 2, 3,4,5,6 and 7.

Staff briefing in executive session on items 90 and 91 held at 1:09 p.m. to 1:38 p.m.

The City Council will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda.

The City Council may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item on this agenda.

Private Consultation with Attorney - Section 551.071

84. Discuss legal issues relating to annexation.
85. Discuss Theodore Zahr v. The City of Austin and Brackenridge Hospital, Cause No. 92-04679, Travis County District Court.
86. Discuss condemnation by LCRA of 18.79 acre parcel of land located on Highway 71 West in Travis County, Texas.
87. Discuss Gordon Dunaway and Eli J. Garza v. City of Austin, Cause No. 97-12434, Travis County District Court.
88. Discuss laws concerning zoning of State property.

Real Estate - Section 551.072

89. Discuss the purchase of Quikie Pickie, located at 2703 Rosewood Avenue.

Staff Briefing - Section 551.075

90. Staff briefing on status of implementation of Meet and Confer legislation for Austin Police Department. (City Council deliberation is not permitted under Section 551.075.)
91. Staff briefing on status of airline negotiations and discussions with the FAA on the closure of Robert Mueller Municipal Airport.

ACTION ON EXECUTIVE SESSION ITEMS

92. Approve settlement of Theodore Zahr v. The City of Austin; Cause No. 92-04679, Travis County District Court.
Approved in an amount not to exceed \$192,000

93. Approve the purchase of the Quikie Pickie, located at 2703 Rosewood Avenue.
approved in an amount not to exceed \$300,000

94. APPOINTMENTS

Annexation Transition Team - MARY ARNOLD, CLARE BARRY, WALTER BROWN, MARTHA COTERA, JEFF JACK HERMAN LESSARD, NIKELLE MEADE, RAFAEL QUINTANILLA, SID SANDERS, TOM STACY, RAY VRUDHULA, ROBERT WILSON, PETE WINSTEAD.

Community Development Commission - VICKY GOMEZ.

Design Commission - JUAN COTERA, SR., V. BUSTER HOFFMASTER, ELEANOR MCKINNEY.

Downtown Development Advisory Group - CLOTEAL HAYNES, LETESIA MCGARRAHAN, WILLIAM BALL, HAL BOX, OSMOND BRELAND, LESLIE POOL, JEFF JACK, BEN HEIMSATH, ALLEN JACOBY.

Electric Utility Commission - BARADA (BARRY) SARMA.

Mechanical, Plumbing & Solar Board - ALFRED BOTELLO, PAUL VELA.

Parks & Recreation Board - JEFF FRANCEL.

Water & Wastewater Commission - DAVID VENHUIZEN.

ADDENDUM

NOVEMBER 20, 1997

Items from Council

95. Set a public hearing to adopt the point of dispatch cost of service study for the Austin Electric Utility. {Councilmember Jackie Goodman, Mayor Pro Tem Gus Garcia and Councilmember Daryl Slusher}

Approved

Items 92 through 95 approved on, Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

ADJOURNED at 10:45 p.m. on, Councilmember Slusher's motion, Mayor pro Tem Garcia's second, 7-0 vote.

Approved on this the 18th day of December, 1998 on Councilmember Goodman's motion, Councilmember Slusher's second, 6-0 vote, Mayor Watson absent.